

Weekly report for week ending January 13, 2017

Division Name	Activity	Press Interest/Coverage
Significant Issues		
Water	EPA Regions 3 and 5 Amend a 2009 Order on Consent with E.I. du Pont de Nemours and Company, and The Chemours Company The First Amendment to Order on Consent contains an action level of 0.07 parts per billion (ppb) that triggers the installation of drinking water treatment and/or the temporary provision of an alternate source of drinking water by DuPont and Chemours.	
Water	WECA Hosts Second Webinar for MPCA's NPDES Data Managers On Monday, January 9, 2017, WECA hosted a webinar for the Minnesota Pollution Control Agency's NPDES data stewards.	
Water	Ninety People Attend Open House and Hearing on Injection Well Draft Permits Comments against the permits focused on concern for drinking water, while those for the permits stressed the need for potash in the United States.	
Water	Consent Agreement and Final Order Finalized for United Transportation Group, Inc. On January 3, 2017, EPA issued a Consent Agreement and Final Order to United Transportation Group, Inc. to resolve violations of the Clean Water Act at its East Chicago, Indiana facility.	
Meetings		
Water	Joint Agency and Peabody Coal Meeting on CWA Section 404 Permit Application for Proposed Seven Hills Mine Date: 1/19/2017	

ATTACHMENT

EPA Regions 3 and 5 Amend a 2009 Order on Consent with E.I. du Pont de Nemours and Company, and The Chemours Company Enforcement Confidential - For Internal Use Only

On January 6, 2017, the U.S. Environmental Protection Agency, Regions 3 and 5, filed with the Regional Hearing Clerks an amendment to a Safe Drinking Water Act (SDWA) Emergency Order on Consent (First Amendment to Order on Consent) issued under Section 1431(a)(1) of the SDWA, 42 U.S.C. § 300i(a)(1). EPA Regions 3 and 5 entered into the 2009 SDWA Section 1431 Emergency Order on Consent (2009 Order) with E.I. du Pont de Nemours and Company (DuPont) on March 11, 2009. The First Amendment to Order on Consent adds The Chemours Company (Chemours) to the 2009 Order and requires both DuPont and Chemours to take certain actions to reduce exposure of residents living near the Washington Works facility in Parkersburg, West Virginia, to PFOA in drinking water. The facility, which manufactured products using perfluorooctanoic acid (also known as PFOA or C8) starting in the early 1950s, is located on the Ohio River. Releases of PFOA to the land, air, and water from the facility affects drinking water sources in both West Virginia and Ohio.

The First Amendment to Order on Consent contains an action level of 0.07 parts per billion (ppb) that triggers the installation of drinking water treatment and/or the temporary provision of an alternate source of drinking water by DuPont and Chemours. The action level is supported by site-specific studies and data, as well as the Lifetime Health Advisory (LHA) issued by EPA on May 19, 2016. This First Amendment to Order on Consent amends the 2009 Order, which established a temporary action level of 0.40 ppb.

Contact: Jennifer Wilson, 3-3115, Ground Water & Drinking Water
Jacqueline Clark, 3-4191, Office of Regional Counsel

WECA Hosts Second Webinar for MPCA's NPDES Data Managers

This is the second webinar WECA conducted for MPCA in recent months to ensure that compliance managers and data stewards understand Single Event Violations and how to document them properly in ICIS. Ms. Cathy Bius, one of EPA's national ICIS data experts, and James Coleman, WECA's Information Management Specialist, led the webinar. All four of MPCA's data stewards and their managers participated. Proper identification and handling of single event violations was an issue identified in EPA's recent evaluation of MPCA's NPDES compliance and enforcement program. This training will facilitate MPCA's ability to fully implement their NPDES compliance and enforcement program consistent with national standards.

Contact: Jennifer Beese, 3-2975, Water Enf & Comp Assurance
James Coleman, 6-0148, Water Enf & Comp Assurance

Ninety People Attend Open House and Hearing on Injection Well Draft Permits

Ex. 5 Deliberative Process (DP)

Consent Agreement and Final Order Finalized for United Transportation Group, Inc.

On January 3, 2017, EPA issued a Consent Agreement and Final Order (CAFO) to United Transportation Group, Inc. (UTG) under Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g).

UTG owned and operated a transportation equipment cleaner and transloading facility located at 1150 East 145th Street, East Chicago, Indiana, which discharges industrial process wastewater to the City of East Chicago's sanitary sewer. Based upon information gathered during on-site compliance inspections that EPA conducted of the facility, EPA alleged that UTG violated the CWA General Pretreatment Regulations for Existing and New Sources of Pollution at 40 C.F.R. Part 403 and the Pretreatment Standards for Existing Sources, Transportation Equipment Cleaning Point Source Category, Subparts A and B at 40 C.F.R. Parts 442.15 and 442.24, respectively. EPA determined that UTG's poor practices introduced oil and grease into the East Chicago Sanitary District combined sewer system which caused or contributed to pass through and interference at the East Chicago treatment plant on numerous occasions. Additional violations include: effluent exceedances, failure to analyze wastewater for all required effluent parameters, and the intentional diversion of waste streams around the wastewater pretreatment process.

Under the CAFO, UTG will pay a \$1,000 penalty to resolve the alleged violations. To bring the facility into compliance with the CWA, EPA previously issued an Administrative Consent Order to UTG on September 30, 2016, requiring that it operate fully the facility's wastewater pretreatment system, sample and analyze wastewater biweekly for all parameters, and maintain all required records.

Contact: Raymond Cullen, 6-0538, Water Enf & Comp Assurance
Kathleen Schnieders, 3-8912, Office of Regional Counsel

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**Joint Agency and Peabody Coal Meeting on CWA Section 404 Permit Application for
Proposed Seven Hills Mine**

Date: 1/19/2017

After the US Army Corps of Engineers informed Peabody that the Seven Hills Coal Mine is a major federal action and requires an EIS, Peabody requested to meet with EPA to attempt to address our concerns and see if EPA and USFWS would lift their recommendation for an EIS.

The meeting, to be held in Indianapolis, will include representatives of Peabody, the Corps, EPA and USFWS.

Contact: Andrea Schaller, 6-0746, Watersheds & Wetlands
Wendy Melgin, 6-7745, Watersheds & Wetlands
Peter Swenson, 6-0236, Watersheds & Wetlands
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